

## Probate Notes for January 7, 2020

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

**Please Note:** Unless otherwise noted, the following probate matters will be heard in **Department Ten at 9:00 a.m.**

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**CASE: Estate of Burns**  
**Case No. CV PB 18-57**

This probate matter will be heard in **Department Nine.**

The Court notes the following deficiencies:

- 1) The petition contains inconsistent statements regarding whether the estate is solvent or insolvent. (Cal. Rules of Court, rule 7.550(b); Petition, ¶¶ 19, 23.)
- 2) Petitioner fails to provide a schedule showing an itemized list of property on hand, describing each item at its carry value. (Prob. Code, § 1062, subd. (f).)
- 3) The account summary and supporting detailed schedules contain inconsistent labels for receipts, disbursements, and assets on hand at begin and end of account period. (Prob. Code, §§ 1061, 1062; Petition, ¶ 11, Exhibit 3.)
- 4) The Court cannot determine if all estate assets are included in the account summary and detailed schedules of accounts. (Prob. Code, § 1060 et seq.) The final inventory and appraisal and the account summary included in the petition appear to contain inconsistent information on estate assets, including bank account names, balances, and a vehicle belonging to the estate.

**CASE: Estate of Fesler**  
**Case No. CV PB 19-241**

This probate matter will be heard in **Department Nine.**

The Court notes the following deficiencies:

1. Petitioner fails to state the amount of bond she seeks to have fixed by the Court. (Petition, ¶ 2(d).) Petitioner requests that the Court not require a bond, but fails to cite any legal authority to support the relief requested. Alternatively, petitioner could file written bond waivers from each beneficiary pursuant to paragraph 3(e)(3) of the petition. (Prob. Code, § 8481.)
2. The petition does not list each heir of the decedent. Paragraph 6(a) of the petition indicates that decedent was survived by a parent, but the petition fails to list a surviving parent in paragraph 8. (Prob. Code, § 8002, subd. (a)(3); Petition, ¶ 8.)

3. Paragraph 3 of the Petition indicates that decedent was a citizen of a foreign country. If a citizen of a foreign county dies without leaving a will, notice must be given to a recognized diplomatic or consular official of the foreign county maintaining an office in the United States. (Prob. Code, § 8113.)

**CASE:           Conservatorship of Hendrix**  
**Case No. CV PC 12-167**

This probate matter will be heard in **Department Nine**.

It is recommended to approve the court investigator's report for continuation of the conservatorship. (Prob. Code, § 1850 et seq.)

It is recommended to set a Biennial Review for January 10, 2022.

**CASE:           Estate of Singson**  
**Case No. CV P2 19-280**

It is recommended to grant the spousal property petition. (Prob. Code, § 13650 et seq.)  
Petitioner is directed to submit a proposed order prior to the date of the hearing.

**CASE:           Estate of Snow**  
**Case No. CV PB 18-216**

Parties are **DIRECTED TO APPEAR**.

The Court notes the following deficiencies:

1. Petitioner has not filed proof that the *Notice of Hearing* (Judicial Council form DE-120) was served on all required parties, including parties requesting special notice. (Prob. Code, §§ 1220.)
2. Petitioner has not filed proof that notice of sale was published in a newspaper three times within ten days. (Prob. Code, § 10300; Gov. Code, § 6063a.)
3. The amount offered for the property must be at least 90% of the appraised value. (Prob. Code, § 10309, subd. (a)(3).)
4. Petitioner has not completed paragraph 10 of the petition. (Prob. Code, § 10311; Petition, ¶ 10.)

**CASE:           Matter of Stevens Trust**  
**Case No. CV P2 19-234**

It is recommended to grant petitioner Judy L. Stevens Sharp's petition for instructions as to manner of distribution of trust. (Prob. Code, § 17200, subd. (b)(6).)